



MANCHIN CHAMPIONS FOR COAL

Senator Manchin has introduced or sponsored legislation supporting coal industry jobs, coal miners and mine safety

“EPA Fair Play Act” (February 2011; April 2013): Prevents the EPA from retroactively vetoing mine permits. This was Senator Manchin’s first bill as a United States Senator.

“Improving Coal Combustion Residuals Regulation Act” (July 2015): Creates a states-first approach to regulating coal ash.

“Miners Protection Act” (January 2017): Ensures lifetime pensions and health benefits for retired miners and their families.

“Supporting Transparent Regulatory and Environmental Actions in Mining Act” (May 2015): Injects transparency and stops overreach in the U.S. Department of Interior (DOI) rulemaking process related to mining.

“Affordable Reliable Energy Now Act” (May 2015): Reins in President Obama’s “Clean Power Plan”.

Manchin/Heitkamp Legislative Coal Package (May 2015): Supports the development of clean coal energy and makes sure coal remains a key part of America’s energy mix well into the future.

“Water Quality Protection Act” (April 2015): Protects coal production and jobs and reins in the EPA overreach on water sources by laying out specific guidelines on what the EPA is allowed to oversee.

“Clean Air Strong Economies (CASE) Act” (March 2015): Stems the staggering economic harm caused by lowering the ground-level ozone standard.

“Regulatory Fairness Act of 2015” (March 2015): limits the EPA role in reviewing Clean Water Act (CWA) permits.

“Electricity Security and Affordability Act” (January 2014): Ensures that regulatory standards from EPA are based on technology that is proven and commercially available for use by coal-base.

“Coalfield Accountability and Retired Employee Act” (March 2013): Protects the promised lifetime pension and health care benefits for thousands of retired miners and their families.

S.J.RES.37 (June 2012): Stops the EPA from implementing the Utility MACT rule, which is one of the most expensive emissions-reduction rules in the EPA’s history for coal-fired plants.

“Fair Compliance Act” (November 2011): Creates reasonable timelines and benchmarks for utilities to comply with two major EPA rules to protect jobs and keep utility rates stable.

“Clean Water Cooperative Federalism Act” (October 2011; May 2013): Reins in EPA overreach under the Clean Water Act to protect water quality while also supporting economic growth and job creation.

“North American Alternative Fuels Act” (May 2011; June 2013; April 2015): Repeals a current law that prohibits the federal government, including the U.S. military, from purchasing fuel produced from certain alternative fuels, including coal.

“Energy Tax Prevention Act” (March 2011): Permanently suspends EPA efforts to regulate greenhouse gas emissions.

“EPA Stationary Source Regulations Suspension Act” (February 2011): Suspends regulation of greenhouse gases from stationary sources for two years.

“Coal Residuals Reuse and Management Act” (October 2011): Ensures coal is safely disposed.

“Ozone Standards Implementation Act” (April 2016, February 2017): Ensures reasonable standards and implementation to prevent economic harm caused by aggressively lowering the ground-level ozone standard.

S.J.RES. 10 (January 2017): Stops the Department of the Interior from implementing the jobs-killing stream protection rule.

“RECLAIM Act” (December 2016): Releases \$1 billion in Abandoned Mine Land Funds to help coal communities.

DEFENDING COAL’S FUTURE

Senator Manchin continues to fight for a balanced national energy policy – one that acknowledges the reality of climate change, while also understanding that fossil fuels will be a vital part of our energy mix for decades to come.

As a member of the Senate Energy and Natural Resources Committee, Senator Manchin secured significant coal amendments to the Energy Policy Modernization Act of 2015, a broad bipartisan energy bill that modernizes our nation’s energy policy and helps to ensure that coal has a pivotal role in our nation’s energy future. Manchin’s amendments comprise the entirety of the bill’s coal title and focus on promoting an all-of-the-above energy policy, keeping coal competitive with other low-carbon energy sources and speeding up efforts to develop carbon emission-reducing technologies.

On January 14, 2015, Senators Manchin and Whitehouse sent a letter to the Obama Administration urging officials to support carbon capture and utilization and sequestration (CCUS) efforts.

Senator Manchin voted against Mr. Ronald Binz’s nomination to be appointed to the Federal Energy Regulatory Commission (FERC) due to Binz’s previous anti-coal actions. In addition, in July 2014, Sen. Manchin helped broker a deal between Senate leaders and the White House to ensure FERC Commissioner Cheryl LaFleur remained Chair for an extended period of time so that newly nominated member Norman Bay could gain the experience necessary on the Commission before becoming FERC Chairman.

On July 30, 2014, Senator Manchin testified in Washington, D.C. at one of the four public hearings that the EPA held on the proposed Clean Power Plan that would limit carbon dioxide emissions from existing fossil fuel power plants.

Sen. Manchin met with John Podesta on June 19, 2014, who leads the Administration’s climate change policy initiatives to discuss the existing source performance standards.

Sen. Manchin brought members of the West Virginia State and federal delegation to the White House to meet with EPA Administrator Gina McCarthy on August 1, 2013, to discuss the negative impact the EPA’s overreaching regulations have had on coal production. On numerous occasions, Sen. Manchin has invited Gina McCarthy to visit West Virginia. To date, Ms. McCarthy has not visited.

Senator Manchin secured a visit by Secretary Ernie Moniz – the Secretary of Energy – in September of 2016 in order to demonstrate the historical importance of and ongoing need for West Virginia’s coal in the nation’s energy future.

LEGAL ACTION: In unprecedented legal action during 2010, then-Governor Manchin sued the EPA for overstepping its boundaries regarding mountaintop removal practices in West Virginia’s coal industry to ensure states have the power to oversee, regulate and protect their citizens and resources.

LEGAL ACTION: In 2016, Senator Manchin joined 33 Senate colleagues and 171 House representatives in an amicus brief challenging the Clean Power Plan. Senator Manchin and his colleagues argued that the EPA went beyond its authority when promulgating its existing source rule.

PROTECTING MINERS’ HEALTH AND SAFETY

Sen. Manchin is the lead proponent and advocate for the Miners Protection Act, which would ensure the U.S. government’s seventy-year old promise of lifetime health and retirement benefits to our miners across the nation is kept. Senator Manchin has been tireless in fighting to secure passage of this critical legislation.

In the wake of the Sago and Aracoma mine disasters, then-Governor Manchin wrote and signed into law historic mine safety legislation, increasing the number of emergency rescue chambers in mines to more than 300 locations in more than 180 mines and placing more than 40,000 new personal breathing devices (self-contained self-rescuers) in underground mines. Sen. Manchin continues to work to ensure mine safety regulations in West Virginia and across the nation provide our miners with the safest working environments possible.

Sen. Manchin secured \$550,000 in 2013 and \$1.25 million in 2012 in federal dollars to fund mine safety training in West Virginia. In 2016, Senator Manchin secured \$686,138 in state grants to fund mine safety training in West Virginia in 2016.

As Governor, Manchin provided a \$3,000 across-the-board raise for Miners, Health, Safety and Training inspectors and instructors. In the immediate aftermath of the Upper Big Branch disaster, then-Governor Manchin created the Mine and Industry Safety Hot/Tip Line to allow miners to anonymously report unsafe workplace conditions while protecting their job security.

Senator Manchin submitted a statement to the Senate Health, Education, Labor and Pensions Committee hearing on July 22, 2014 in response to the 2013 Center for Public Integrity (CPI) report on black lung benefits and how unethical legal and medical practices can harm black lung claimants.

During a Senate Health, Education, Labor and Pensions (HELP) Committee hearing to examine efforts to improve mine safety in light of the Upper Big Branch anniversary on March 31, 2011, Sen. Manchin recommended important mine safety improvements.

Since February 2014, Senator Manchin has worked closely with the Health Resources and Services Administration (HRSA) and the Department of Health and Human Services (HHS) to ensure West Virginia receives sufficient black lung funding so miners suffering from the disease get the treatment and medical services they need. He has worked with the Department of Labor to help ensure miners have access to the medical records needed to prove their eligibility for black lung federal benefits.

Senator Manchin also sent a letter to the Office of Management and Budget on July 29, 2014, to request adequate funding to address the growing backlog of black lung cases, which is overseen by the U.S. Department of Labor’s Office of Administrative Law Judges.

As a result of these efforts, a recent updated rule released by the Department of Labor ensures greater access and transparency for miners with such claims.